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SUBJECT: MEXICAN LEADERS SIGN SECURITY ACCORD RESPONDING TO  
RISING PUBLIC CLAMOR OVER CRIME

(SBU) SUBJECT: MEXICAN LEADERS SIGN SECURITY ACCORD  
RESPONDING TO RISING PUBLIC CLAMOR OVER CRIME

#### Summary

11. Civil society organizations have organized a massive demonstration on August 30 calling upon the government to respond with greater urgency to rising levels of violent crime. In response to the public clamor over the serious security challenges Mexico faces, senior Mexican government officials including President Calderon, the mayor of Mexico City, the country's 31 state governors and various congressmen, as well as senior members of the judiciary and the military met on August 21 and unanimously adopted a 75-point package of security measures to be implemented over the next 3 years. The package includes initiatives aimed at purging police corruption, constructing several new maximum-security prisons, and creating a database for mobile phones that the government will use to track down criminals using them. Although the summit has been described by some critics as a re-packaging of old or in-progress measures, it appears to have served the purpose of securing much-needed support from governors and key community leaders for the GOM's security strategy in the near term. End Summary.

#### Calderon and Ebrard Clash Over High-Profile Kidnapping/Murder

12. In the wake of the kidnapping and murder of 14-year-old Fernando Marti, the son of prominent Mexican businessman Alejandro Marti, President Calderon and Mexico City's mayor Marcelo Ebrard initiated several security measures in early August, including creating special police units to prevent and investigate cases of kidnapping. In rolling out their anti-kidnapping initiatives, Calderon and Ebrard clashed publicly over which level of government bore responsibility Mexico's crime problem. The President asserted that there was inadequate intergovernmental collaboration, while the mayor insisted that Mexico City authorities cooperated fully with federal agencies. This argument, which grows out of overarching political conflict between the two, in large measure prompted civic groups to issue a public call for the federal government, the legislature, the judiciary, and state authorities to work together to address the country's problems of rampant violence and criminal impunity.

#### Landmark Security Summit Agrees on 75 Measures to Combat Crime

13. Responding to the call, President Calderon hosted an historic and unprecedented security summit on August 21st at the National Palace. In attendance were senior GOM officials, Mayor of Mexico City Marcelo Ebrard, Mexico's 31 state governors, senior congressmen and judicial officials,

as well as civil society and business leaders. Officials approved a 75-point package of security measures entitled the "national agreement for security, justice, and rule of law." The 75-point agenda commits virtually every institution to contribute to the war against crime via the pact, which will be implemented over the next three years. (See annex of this cable for full list of commitments and timeframes.)

#### Executive Branch Commitments (Annex, 1-28)

¶4. Of the 75-point measures, 28 are the responsibility of the executive branch. Many of these measures focus on kidnapping reflecting the government's desire to stem the sharp rise in abductions over recent years. National authorities will develop a strategy to combat kidnappings over the next six months, create special units within the police and the Attorney General's office to investigate and prosecute kidnappings, and complete within two years the construction of two maximum-security prisons with areas specifically designated for kidnappers to ensure that they are not able to recruit inmates convicted of different offences to their gangs.

¶5. Additional prominent measures include the following:

- Create a national tracking system that would locate cell phone users in real time in order to reduce cell phone extortion.

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- Establish a reward and protection program for informants whose tips lead to arrests.

- Develop and implement a strategy to combat money laundering.

- Give customs officials two years to reduce in the amount of weapons and precursor chemicals entering the country.

¶6. Authorities stress the importance they attached to monitoring compliance with the accord's particulars. The agreement calls for participants to meet again in a month and then two months after that to assess progress towards implementation of specific provisions. Separately, the agreement calls for creation of a civilian oversight body similarly entrusted with responsibility for ensuring the government is adhering to the agreement's terms. The promise to form a citizen's watchdog group is well-received by public security analysts, who believe it holds the potential to exert sustained pressure upon authorities provided it is availed access to hard numbers on crimes committed.

#### Legislative Branch Commitments (Annex, 29-35)

¶7. (SBU) Congress pledged to pass new legislation in the upcoming legislative session to fight kidnapping, in part by eliminating bail and parole options for kidnappers, and crack down on street sales of drugs. Presently, kidnapping is a state crime. The new legislation could look at transferring this authority to the federal government. While Mexican security expert Jorge Chabat told poloff that the federal government would likely oppose a transfer of jurisdiction given the political ramifications involved in investigating these types of cases, SSP Secretary Garcia Luna told U.S. Senator Arlen Specter earlier this month he thought kidnapping should be a federal crime.

#### Judicial Branch Commitments (Annex, 36-45)

¶8. Provisions pertaining to the judicial branch include the following:

-- Make more statistics pertaining to the prosecution of criminals available to the public.

-- Establish special courts to review requests for and issue search warrants and wire tap orders.

-- Appoint special judges to more dangerous cases and grant them commensurate salaries and protection.

Comment: Embassy legal experts laud the judicial commitments in the accord, but think some of the time frames set for the implementation of many of the measures are too ambitious. End Comment.

#### State and Municipal Government Commitments (Annex, 46-61)

¶9. State governments committed to creating special anti-kidnapping units and both state and local governments agreed to conduct tests to weed out corrupt police. Both state and municipal governments also promised to allocate more resources in their budgets to improving security and law enforcement institutions. Indicators of police performance will also be developed at both levels of government to conform to the methodology used by national indicators. Comment: Although Mexico City PRD mayor Marcelo Ebrard stepped up to Alejandro Marti's challenge of reducing crime or resigning, he also claimed that implementing security measures in the capital would require US\$1.2bn worth of funding next year alone. Michoacan PRD Governor Leonel Godoy echoed this condition, stating that his state would require more money if it is to achieve the objectives agreed upon at the crime summit. End Comment.

#### Private Sector, Civil Society, Religious Groups, and the Media (Annex 62-75)

¶10. Historically, Mexican citizens underreport crime to the police out of concern the police will not effectively address

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their complaints or even worse revictimize them. The private sector, civil society, religious groups, and the media agreed to undertake campaigns encouraging citizens to report crime to the police. Equally important, each pledged to promote a culture of lawfulness and specific programs to monitor the compliance of local and national authorities with their obligations.

#### Reactions

¶11. (SBU) Some analysts called the summit "reactive," maintaining that the proposals represented a response to the immediate problems but not a sufficiently thought through plan for the future. Other observers noted that a number of initiatives had been announced in prior incarnations of this month's security summit. Indeed, some members of post's law enforcement community pointed out that many of the measures identified among the 75 points are already in place.

¶12. (SBU) Mexican security expert Jorge Chabat told poloff that many of the recent developments" including the "March Against Insecurity" organized by civil society this weekend/August 30 '' were reminiscent of a similar series of events during the Fox Administration. In June 2004, the NGO Mexico United Against Crime organized a march in which over a million Mexicans dressed in white and took to the streets of Mexico City to protest the GOM's failure to address the chronic problems of crime and violence. In response to the demonstrations, Fox unveiled a 10-point plan that included increased collaboration between federal and state authorities, anti-corruption measures for federal police, and further increases in security spending. The increased violence and crime over the past four years indicates that these measures were not sufficient. On a more positive note, Chabat pointed

out that the new accord, although similar in many aspects, is more narrowly focused on kidnapping and includes specific measures, such as the creation of new prisons specifically equipped for criminals convicted of kidnapping.

¶13. (SBU) Political analysts Sabino Bastidas and Juan Paredes both saw more merit in civil society engaging on this issue and placing pressure on the government than in the government's response, at least in the form of the agreement reached. The challenges facing Mexico on security were too great to believe government could solve them alone. Civil society needed to engage more fully not only in holding the government more accountable but in more fully embracing a culture of lawfulness in all facets of daily life.

¶14. (SBU) Much of the Mexico public is focused on police corruption. However, for both Bastidas and Paredes, the overriding issue when it comes to crime in Mexico is impunity. Bastidas remarked that a recent crime survey revealed that only 1.7 percent of complaints registered with the police nationwide result in a conviction. With those kinds of odds facing the authors of criminal activity, he was hardly surprised Mexico was observing rising levels of crime across the country. On a related score, both argued for the government to take more serious measures to combat money laundering - an item included in the recent agreement. Calderon has effectively taken out major cartel figures. However, they believed too many "respectable" members of Mexico's elite remained above reproach when in fact they were implicated in laundering the funds that fuel the organized crime plight Mexico faces.

Comment

¶15. (SBU) The public clamor over rising levels of violent crime in Mexico, as evidenced by this weekend's march is producing a widening debate over the best strategy to combat organized crime. Last week's summit provided state officials an opportunity to weigh in with the federal government and express their own concerns. President Calderon, for his part, effectively steered the debate to secure support from federal and state officials for many policies his government had already proposed or begun implementing. Implementation of the strategy, however, will be the key though, as will tackling the whole question of impunity.

¶16. Since Calderon took office in 2006 and began to deploy federal forces around the country to combat drug cartels,

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many state governors have been quick to request assistance, and just as quick to complain when the federal troops in their states have not operated as they would like. While Calderon appears to have the governors' support for now, there is no reason to think that it will last if the security situation continues to deteriorate. The strict deadlines assigned to the various measures will put pressure on Calderon to demonstrate results. This can be a good thing as deadlines will hopefully generate strategies to meet them. However, these deadlines and the overarching security problems Mexico faces will be subject to politicization as Mexico approaches mid-term elections next year. Even before last week's summit, PRI leader Manlio Fabio Beltrones had already begun to describe Calderon's efforts to combat crime in Mexico as a failure before the summit. No doubt, as Mexico struggles to turn the page on the crime threat it faces and citizens grow impatient with the time it is taking, we can expect the debate over crime to take on significant political overtones.

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Annex  
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Executive Branch Commitments:

¶1. Purge and strengthen security and law enforcement institutions.

-- Create a national evaluation and vetting model. (4 months)

-- Encourage the creation of certified state centers for evaluation and vetting. (1 year)

-- Subject all law enforcement, migration institutions, and prisons to evaluation and vetting. (1 year)

-- Establish a national police development system. (6 months)

SSP will improve its methods of recruitment, training, promotion and retirement.

-- Establish a national development system for the attorney general offices in the framework of the National Conference of Attorneys.

PGR will improve its methods of recruitment, training, promotion and retirement of prosecutors. (2 years; 1 year for federal prosecutors at the Attorney General's office)

¶2. In order to strengthen and make security and law enforcement systems more efficient, reassign more resources in the 2009 budget toward these purposes. (in 2009 budget proposal)

¶3. Support states in combating crimes most harmful to society. In particular, support the establishment of state anti-kidnapping units.

In coordination with states, PGR and SPP will create a national strategy against kidnapping. This strategy will include courses, seminars, and workshops to build up and maintain the units' capacity. (6 months)

In coordination with states, SSP and PGR will formulate a national strategy against "narcomenudeo" that will sum up the capacity and necessary cooperation of different government entities within legislation to be determined by Congress. (6 months)

The GOM will strengthen PGR's SIEDO with financial resources, capacity training, expert witnesses, infrastructure, and equipment. (18 months)

¶4. Create and issue a national strategy against money laundering. (6 months)

¶5. Strengthen the institutional capacity of the federal Attorney General's Office (PGR). (6 months)

PGR will establish a protocol for acting on, investigating, and opening preliminary inquiries and judicial procedures to

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improve the effectiveness for obtaining convictions and sentences.

¶6. Strengthen and consolidate aid networks for victims of crime at the national level. (6 months)

¶7. Regulate the registration, establishment, and access to databases of all telephones and mobile equipment, as well as access to information of the physical location of cell phones in real time in cases of equipment/phone numbers involved in criminal activity. (6 months)

¶8. Guarantee nationwide coverage of a single emergency telephone number (066) and a single number for anonymous tips (089). (6 months)

¶9. With the participation of civil society, strengthen the system of reporting corruption and poor performance among civil servants. (3 months)

¶10. Harmonize coordination and institutional agreement on public security in order to guarantee a sharing of responsibility among the federal, state, and municipal governments. (Will present the initiative in September 2008)

¶11. Update the collective weapons permits issued by SEDENA to public security forces. (3 months)

¶12. Issue an identity document to all Mexican citizens. (3 years)

¶13. Strengthen the federal penitentiary system. (2 years)

SSP will construct federal maximum security prisons , including special facilities for kidnappers.

¶14. Revise the "Socorro del Ley" (the terms of assistance the federal government gives to states for housing federal prisoners). (6 months)

In coordination with state officials, SSP will revise the monetary amounts assigned to states for maintenance and costs per federal prisoner in state prisons.

¶15. Strengthen and modernize the customs system. (6 months)

Hacienda will modernize all the customs systems of the country with technology, better processing and infrastructure to reduce contraband, in particular the traffic of arms and precursor chemicals.

¶16. Present to Congress a reform package that strengthens the federal government's capacities in security and law enforcement. (Present before October 2008)

¶17. Consolidate a Sole System of Criminal Information to guarantee the interconnection/exchange of information between institutions and levels of government in combating crime. (Part of Platform Mexico.) (1 year)

¶18. Create substantive information model within Platform Mexico's Sole System of Criminal Information for registering, following-up on, and combating kidnapping. (6 months)

¶19. Develop and expand the use of technology to exchange information to combat crime. (1 year)

¶20. Create public campaigns to promote the culture of lawfulness. (3 months)

¶21. Strengthen aid to those with addiction problems. (December 31, 2008)

The Health Secretariat will expand the network of rehabilitation centers, adding 300 centers with nationwide coverage.

¶22. Strengthen the program "Rescuing Public Spaces." (1 year)

The Secretariat of Social Development will recover at least 1,000 deteriorated/abandoned/unsafe urban areas in zones with the highest criminal index.

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¶23. Strengthen the Safe School Program. (1 year)

The Secretariat of Public Education will include this program in more than 13,500 schools and promote its implementation with private schools.

¶24. Guarantee accountability in the use of resources for



public security programs. (1 year)

¶25. Implement public resources to Public Security Programs. (6 months)

¶26. Promote the creation of a Body of Citizen Observers that oversees and supervises the completion of government commitments. (3 months)

SSP will create the Body of Citizen Observers which will comprise representatives from distinct sectors of society and include security and judicial experts.

¶27. Create indicators/statistics to measure of the performance of police and law enforcement institutions with the participation of citizen organizations. (2 months after the creation of the Citizen Observatory)

¶28. Include in school curricula studies in the culture of lawfulness and the promotion of civic values. (1 year)

#### Legislative Branch Commitments:

¶29. Process all outstanding and new security and justice reform legislation submitted before October 1 (Sept - December 2008 legislative session)

¶30. Establish harmonious jurisdictions to combat drug dealing (narcomenudeo), as well as regulations that permit their enforcement. (Sept - December 2008 legislative session)

¶31. Encourage a law of enforcing penal punishments and provide rules to prevent the early release (and other benefits) to prisoners convicted of violent crimes and kidnappings. (Sept - December 2008 legislative session)

¶32. Promote a general kidnapping law. (Sept - December 2008 legislative session)

¶33. Ensure that the budget priorities strengthen public security and law enforcement programs and actions. (Sept - December 2008 legislative session)

¶34. Increased resources allocated to states and municipalities for addressing security issues. (6 months)

¶35. The Chamber of Deputies will commit the Federal Chief Auditor's Office to perform revisions and audits of the 32 states. (1 year)

#### Judicial Branch Commitments:

¶36. Make the performance and activities of the judicial branch bodies and their principals more transparent. (4 months)

Performance indicators for the federal judicial branch will be created so that the public will have access to various types of information, including information on trials/cases, crimes, duration of judicial procedures, archives, biographical information on judges, and public opinion polls on the judicial system.

¶37. Set up new federal courts (in areas where the workload is higher). (14 months)

¶38. Establish special control courts with jurisdiction over the entire country to review requests for and issue search warrants and wire tap orders and review the constitutionality of those requests. (4 months)

¶39. Ensure a speedy trial. (30 days)

Narcotrafficking and organized criminal cases will be expedited and the accused will be sent directly to a maximum

security facility during their trial. Judges and trials for narcotrafficking and organized criminal cases will take place in those maximum security prisons to reduce the risk of prisoner escape during transfer.

¶40. Strengthen the autonomy, independence, and impartiality of judges and magistrates. (Permanent process)

In coordination with state and federal authorities, the Federal Judiciary Council will set up services of protection to federal judges so that they are less subject to violence and threats that could affect their decision - particularly in cases where organized crime is involved.

¶41. Strengthen the system of selecting judges and magistrates. (30 months)

¶42. Intensify the capacity and specialization of judges on penal issues (through regular training). (Permanent)

¶43. Continue performance evaluations of judges specializing in juvenile cases. (30 months)

¶44. Strengthen the system for monitoring criminals on parole (through the installation of a biometric monitoring system throughout Mexico). (6 months)

¶45. Standardize judicial information in order to have a better coordination between authorities. (2 years)

In conjunction with Federal Judiciary Council, federal and state authorities will create a National System of Judicial Statistics that will collect, organize, and share information with authorities and the public. This information will include the stages of a trial, duration, crimes and sentences.

#### State Government Commitments:

¶46. Purge and strengthen security and law enforcement institutions.

-- Create and strengthen a certified center for evaluation and confidence control (i.e. vetting) in their state. (1 year)

-- Evaluate and vet all state personnel in police, law enforcement, and prison institutions. In states where there is no certified vetting center in place, the federal government will administer the necessary evaluations. (6 months)

-- Attorney Generals and Public Security Secretaries will refine the capacity and selection methods in police and law enforcement institutions. (6 months)

-- Increase and label the allocation of resources toward the operation and development of police and law enforcement institutions. (1 year)

-- Replicate the national system of police development at the state level and the use of evaluations and vetting in state institutions. (1 year)

-- Replicate the federal scheme of vetting public ministries. (1 year)

¶47. Reassign resources in state budgets toward improving the efficiency of security and law enforcement systems. The use of these resources will be accompanied by operational rules or effective and transparent procedures. (Include in the 2009 budget of each state.)

¶48. Create, develop, and strengthen specialized vetted units to combat kidnapping. (6 months)

¶49. Governors will submit to their respective legislative



assembles a bill of a State Public Security Law, consistent with the General Law of the National Public Security System that the federal Congress will approve. (6 months after the approval of the General Law of the National Public Security System)

¶50. Incorporate and implement the Sole System of Criminal

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Information within Platform Mexico. (1 year)

They also agree to improve the following databases: vehicle registration, license issuances, police/ex-police, prisoner/ex-convict, warden, prosecutors, and arms registrations.

¶51. Develop state programs that incorporate the social component to the security strategy. (December 31, 2008)

In collaboration with the Social Development Secretariat, state officials will devote more resources to the Rescuing Public Spaces program. The objective of this program is to rehabilitate public spaces located in urban zones with high crime that are deteriorated, abandoned, or unsafe. In collaboration with the Public Education Secretariat, state officials will apply more resources toward the Safe Schools Program. In collaboration with the Health Secretariat, state officials will apply more resources to the New Life Attention Centers program, which is a rehabilitation center/program for those suffering from addictions.

¶52. Establish evaluations and indicators/statistics (3 months)

State officials will create evaluations and statistics on the performance of police and law enforcement institutions. The indicators will coincide with the mythology of those at the national level and will include citizen participation.

¶53. Establish a public information system on programs, actions, results, and the spending of public resources on public security and law enforcement issues. Such an information system will have a citizen oversight component.

Municipal Government Commitments:

¶54. Purge and strengthen security and law enforcement institutions. (1 year)

In coordination with the Attorney General's office and Public Security Secretariat of their state, as well as state and national Evaluation and Vetting Centers, municipal governments will develop the capacity and selection of municipal police.

-- Evaluate and vet all personnel in the municipal police and prisons. (1 year for municipalities participating in the SUBSEMUN subsidy program; 2 years for other municipalities)

-- Condition municipal police jobs on evaluations and vetting exams. (1 year)

-- With the support of the federal SSP and state government, municipalities will establish a system to professionalize police, creating a civil service career to regulate the selection, income, training, evaluation, recognition, certification, and retirement of police.

¶55. Interconnection to the systems and protocols of Platform Mexico for registry, access, and analysis of substantive information. (6 months for the 150 municipalities that receive the SUBSEMUN subsidy; 2 years for all other municipalities.)

¶56. Develop and implement standardized protocols of police procedures/operations. (1 year)

¶57. Update and standardize firearms licenses and the registry of personnel into the database ("cardex") of Platform Mexico.

¶58. Update and adapt municipal rules to improve public security conditions. (6 months)

¶59. Develop a municipal program that incorporates the social component in the security strategy. (6 months)

Will create local social programs on security, education, health, prevention and treatment of addictions to interact with the federal government in the implementation of the Clean Mexico (Limpiemos Mexico) program, the Rescuing Public Spaces (Rescate de Espacios Publicos) program, the Secure Schools (Escuelas Seguras) program, as well as the Prevention

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and Treatment of Addictions program.

¶60. Establish evaluation and follow up indicators. (6 months)

Municipal officials will create evaluations and statistics on the performance of police and law enforcement institutions. The indicators will coincide with the mythology of those at the national level and will include citizen participation.

¶61. Reassign resources in municipal budgets toward improving the efficiency of security and law enforcement systems. The use of these resources will be accompanied by operational rules or effective and transparent procedures. (Include in the 2009 budget of each municipality.)

Private Sector Commitments:

¶62. Promote a culture of lawfulness, the reporting of crimes, and citizen participation among private sector employers, unions, and workers (6 months)

¶63. Promote and facilitate the systematic reporting of any crime or labor injustice. Provide employees with the tools and phone numbers through which to lodge such complaints. (1 year)

¶64. Adapt electronic registries of workers, suppliers and clients to the norms of the National Population Registry to prevent fraud and identity theft. (2 years)

The country's employers, with the support of their employees, commit to fully coordinate their registries with the National Cedula database.

¶65. Encourage a secure work environment. (1 year)

The country's employers, with the support of workers and the authorities, commit to improving conditions in workplace and common use areas.

Religious Associations Commitments:

¶66. Promote a culture of lawfulness, the practice of reporting crimes, and citizen participation among members of religious associations. (6 months)

¶67. Encourage the culture of lawfulness and security, the practice of reporting crimes, the fight against addictions, human rights, and transparency in outreach projects, buildings, churches, and places of worship. (6 months)

Civil Society Commitments:

¶68. Promote a culture of lawfulness, the practice of reporting crimes, and citizen participation among members of civil society organizations. (6 months)

¶69. Develop and support local programs that incorporate a social dimension into the security strategy. (6 months)

In line with the security strategy, civil society organizations commit to introducing citizen programs into the areas of education, health, and social development for the purpose of assisting the federal government with the implementation of "Limpiemos Mexico."

¶70. Participate in the creation and strengthening of mechanisms to monitor and evaluate authorities to eliminate corruption and increase efficiency and social recognition. (1 year)

Civil society organizations commit to promoting the active and autonomous participation of citizens in one hundred percent of the requests for evaluation and monitoring of government actions.

Media Commitments:

¶71. Increase content that encourages a culture of lawfulness.

The media will increase the broadcast of content and

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campaigns that praise the positive consequences of following the law, accountability, and reporting crimes.

¶72. Increase content that encourages the prevention of and attention to addictions.

The media commits to broadcasting content that exhorts the importance of preventing the consumption of drugs and the fundamental role parents play in the health of their children. They are also committed to publicizing addiction prevention and treatment centers with the purpose of highlighting their social usefulness. Likewise, the media will inform how the prevention of addiction affects the fight against narcotrafficking by reducing demand. The media will explain before public opinion the advantages of orchestrating integral social-political and security programs, as well as other successful actions undertaken by family organizations, schools, and/or professionals.

¶73. Increase content that encourages a culture of security and the practice of reporting crimes.

The media will emphasize the importance of co-responsibility between society and government in the fight against organized crime to sensitize the population to the fact that the absence of participation only strengthens crime; the importance of active participation by neighborhood associations to the extent that they help to generate secure practices and a practice of reporting crimes; highlight the value of reporting a crime to the appropriate authority even if it is done anonymously; broadcast successful cases of citizens reporting crimes that have led to apprehensions and sentencing; broadcast the institutional channels and phone numbers of federal, state, and local authorities through which the public reports crimes at the federal and community level.

¶74. Media outlets will define and publicize professional performance standards for its informative coverage to prevent the justification of crime, to promote respect for the dignity of the victims, to avoid the broadcast of information that puts victims' family members and close associates at risk, and to establish criteria that defines the case in which the publication of information can be undertaken without attributing it to specific reporters to protect their integrity.

¶75. National, state, and local media will provide timely coverage of the agreements resulting from the National Public

Security Council session by each of the signatories of the National Security, Lawfulness, and Justice Agreement. It is proposed that every outlet take into account the indicators agreed to in the framework of the Council and follow the agreements signed by the various authorities.

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GARZA